

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

DEMETRICE JOHNSON,

Petitioner,

File No: 2:10-CV-70

v.

HON. ROBERT HOLMES BELL

JEFFREY WOODS,

Respondent.

_____ /

**ORDER APPROVING AND ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

On June 24, 2011, Magistrate Judge Timothy P. Greeley issued a Report and Recommendation ("R&R") recommending that Petitioner Demetrice Johnson's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed without prejudice. (Dkt. No. 21, R&R.) The R&R was duly served on the parties. No objections have been filed, and the deadline for doing so has expired. Upon review, the Court concludes that the R&R correctly analyzes the issues and makes a sound recommendation. Accordingly,

IT IS HEREBY ORDERED that the June 24, 2011, R&R (Dkt. No. 21) is **APPROVED and ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (Dkt. No. 1) is **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**. 28 U.S.C. § 2253(c); *Slack v. McDaniel*, 529 U.S. 473 (2000).

Dated: July 15, 2011

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE